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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,839	01/11/2004	Yaron Mayer		1404

7590  
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03/21/2007

EXAMINER

ALMEIDA, DEVIN E

ART UNIT

PAPER NUMBER

2132

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/756,839	<b>Applicant(s)</b> MAYER, YARON	
	<b>Examiner</b> Devin Almeida	<b>Art Unit</b> 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) 3, 5, 6, 16, 19, 24-50, 52, 54, 56, 58, 59 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 7-15, 17, 18, 20-23, 51, 53, 55, 57 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This action is in response to the papers filed 1/11/2004. Claims 1-59 were received for consideration. Preliminary amendments for the claims was filed 6/15/2004. Currently claims 3, 5, 6, 16, 19, 24-50, 52, 54, 56, and 58-59 were canceled and claim 1, 2, 4, 7-15, 17, 18, 20-23, 51, 53, 55, and 57 are under consideration.

#### ***Claim Objections***

Claim 7 is objected to as being dependent on a cancelled claim for the application of art claim 7 is construed to depend from claim 1.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Hansen (U.S. Patent # 6,775,696). Hansen teaches with respect to claim 1, a system for secure data communications in at least one of Fax transmissions and computer network communications, comprising at least one of: d) a system that enables the

receiver to know that the message indeed originates from the purported sender without the need to rely on encryption and digital signatures (see Hansen figure 3 and 5 and column 3 line 32 – column 4 line 55).

With respect to claim 2, said communications are Fax transmissions, and at least one of the following features exists: a) the telephone company's computer identifies automatically Fax transmissions and adds its own identification of the originator's phone number to the transmission (see Hansen figure 3 and 5 and column 3 line 32 – column 4 line 55).

Claims 1, and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Lam (U.S. Patent # 5,377,017). Lam teaches with respect to claim 1, a system for secure data communications in at least one of Fax transmissions and computer network communications, comprising at least one of: a) a system that allows the sender to get confirmation that the receiver received the message without having to rely on the receiver accessing a web site for reading the message and c) a system the enables the sender to prove the content of the message that was sent (see Lam figure 4, abstract and column 2 lines 14-45).

With respect to claim 4, said communications are Fax transmission and in order to confirm that the receiver indeed received the Fax, each Fax machine automatically sends back a confirmation Fax to the sender if the Fax was received OK, or does it at least if the sender requests it, and wherein said confirmation includes at least one of: a)

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Sending back a copy of one or more or all of the received pages (see Lam figure 4 and column 2 lines 14-45).

Claims 1, 8 and 9 rejected under 35 U.S.C. 102(b) as being anticipated by Goss (U.S. Patent # 4,956,863). Goss teaches with respect to claim 1, a system for secure data communications in at least one of Fax transmissions and computer network communications, comprising at least one of: a) a system that allows the sender to get confirmation that the receiver received the message without having to rely on the receiver accessing a web site for reading the message (see Goss abstract)

With respect to claim 8, wherein in order to ensure the safety of private keys a hardware that contains the private keys contains also all the software or firmware for accessing and processing these keys, so that in order to digitally sign and encrypt a document, the document has to be sent to this hardware and processed by the hardware itself, so the returned output from the hardware is the already encrypted and signed document (see Goss abstract and column 2 line 48-).

With respect to claim 9, wherein at least one of the following features exist: a) Said hardware also uses at least one incrementally changing element, which can be affected also by the exact time and date, in order to reduce the chance of replay (see Goss abstract i.e. random number).

Claims 1 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Rodgers (U.S. Patent Publication # 2004/0122847). Rodger teaches with respect to

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claim 1, a system for secure data communications in at least one of Fax transmissions and computer network communications, comprising at least one of: d) a system that enables the receiver to know that the message indeed originates from the purported sender without the need to rely on encryption and digital signatures (see Rodger abstract and paragraph 0020).

With respect to claim 10, wherein said communications are email messages and in order to prevent faking of the sender's email and/or his IP address, at least one of the following features is used: B) The mail server that receives the message from the user's computer checks if the given sender e-mail address actually exists at all (see Rodger abstract and paragraph 0020-0023).

Claims 1, 11, 12, 13, 14, 15, 23 and 51 are rejected under 35 U.S.C. 102(e) as being anticipated by Nassiri (U.S. Patent Publication # 2002/0046250). Nassiri teaches with respect to claim 1, a system for secure data communications in at least one of Fax transmissions and computer network communications, comprising at least one of: a) a system that allows the sender to get confirmation that the receiver received the message without having to rely on the receiver accessing a web site for reading the message (see Nassiri paragraph 0021-0022 and 0029).

With respect to claim 11, wherein said communications are email messages and at least one of the following features exist: a) At least the end-node email server or router that communicates directly with the final receiver can automatically send back a

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confirmation email to the sender if the email was received OK (see Nassiri paragraph 0021-0022 and 0029).

With respect to claim 12, wherein said confirmation includes at least one of: c) Sending back a digital key (see Nassiri paragraph 0021-0022 and 0029).

With respect to claim 13, wherein said digital key is based on at least one of: b) The time and date.

With respect to claim 14, wherein said communications are email messages and a trusted authority is used, and no previous setting of account by the sender at the server is required, and each sender can use the services of the central authority by using a properly formed message, and said authority is used for confirming at least one of: The receipt of an email message, and The content of the message (see Nassiri paragraph 0021-0022, 0029 and 0033).

With respect to claim 15, wherein said confirmation can be by at least one of: b) In the form of a record kept at the authority for at least a few years, in case a later certificate is needed. d) A digitally signed email (see Nassiri paragraph 0021-0022, 0029 and 0054).

With respect to claim 23, wherein at least one of the options of receipt-verification is used when at least one of: b) Automatically even without requesting it (see Nassiri paragraph 0074).

With respect to claim 51, wherein the mail server at the side of the receiver can inform the mail server at the side of the sender and/or the sender directly if and when the receiver actually accessed the mail, by at least one of the following means: b)

Keeping a log of said confirmation, at least for a certain period in order to enable the sender to request a copy of the confirmation also at a later time (see Nassiri paragraph 0067).

Claims 1, 14, 17, 18, 51 and 53 are rejected under 35 U.S.C. 102(e) as being anticipated by Enyart (U.S. Patent Publication # 2006/0041505). Enyart teaches with respect to claim 1, a system for secure data communications in at least one of Fax transmissions and computer network communications, comprising at least one of: d) a system that enables the receiver to know that the message indeed originates from the purported sender without the need to rely on encryption and digital signatures (see Enyart paragraph 0044).

With respect to claim 14, wherein said communications are email messages and a trusted authority is used, and no previous setting of account by the sender at the server is required, and each sender can use the services of the central authority by using a properly formed message, and said authority is used for confirming at least one of: The receipt of an email message, and The content of the message (see Enyart paragraph 0820-0824).

With respect to claim 17, wherein payment for the authority's services can be done by at least one of: Payment later when authority gets back to you (see Enyart paragraph 0047).

With respect to claim 18, wherein at least one of the following features exist: e) A trusted authority is used, which forward the message to the receiver, and if the receiver



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has not received the message the trusted authority continues to attempt sending the message again at least for a number of times and or for a certain time (see Enyart paragraph 0033

With respect to claim 51, wherein the mail server at the side of the receiver can inform the mail server at the side of the sender and/or the sender directly if and when the receiver actually accessed the mail, by at least one of the following means: b) Keeping a log of said confirmation, at least for a certain period in order to enable the sender to request a copy of the confirmation also at a later time (see Enyart paragraph 0820-0824).

With respect to claim 53, wherein at least one of the following features exist: b) the software that allows the user to access the message also sends a confirmation to the server when the user actually opens the mail message (see Enyart paragraph 0820-0824).

Claims 1, 20, and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Chapman et al. (U.S. Patent # 4,106,060). Chapman et al. teaches with respect to claim 1, a system for secure data communications in at least one of Fax transmissions and computer network communications, comprising at least one of: a) a system that allows the sender to get confirmation that the receiver received the message without having to rely on the receiver accessing a web site for reading the message (see Chapman abstract).

With respect to claim 20, wherein at least some combination with conventional postal services are used and wherein a certified email message or Fax is automatically relayed to a post-office branch which is near to the receiver's Physical address, and is printed and hand-delivered from there like an ordinary certified mail (see Chapman abstract and column 2 line 2-23).

With respect to claim 21, wherein said near branch is found by at least one of: a. Using IP addresses that contain also physical addresses. b. Using the physical address of the receiver and automatically matching it with the near post office branch by at least one of country and city and zip code (see Chapman abstract and column 2 line 2-23).

Claims 1, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Chang et al. (U.S. Patent # 5,974,449). Chang et al. teaches with respect to claim 1, a system for secure data communications in at least one of Fax transmissions and computer network communications, comprising at least one of: a) a system that allows the sender to get confirmation that the receiver received the message without having to rely on the receiver accessing a web site for reading the message (see Chang column 11 line 45 – column 12 line 30).

With respect to claim 22, wherein at least some interchange is allowed between fax and email messages so that at least one of: Certified communication can be sent to the trusted authority as Fax messages and converted there to email communication with the receiver (see Chang column 11 line 45 – column 12 line 30).

Claim 55 is rejected under 35 U.S.C. 102(e) as being anticipated by Tofoya et al. (U.S. Patent # 6,829,607). Tofoya teaches an email system wherein the user can instruct the receiving server and/or his email client to mark more conspicuously and/or put in a separate list all the emails from a list of senders which the user marks as preferred and/or this group can be generated automatically by putting in the list all the emails to which the user himself sent messages and/or they are automatically given a higher position if the user sent more messages to them (see abstract and column 13 line 46-64).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nassiri (U.S. Patent Publication # 2002/0046250) in view of Chang et al. (U.S. Patent # 5,974,449). Nassiri teaches everything with respect to claim 1 above but with respect to claim 7 Nassiri teaches that said communications are Email transmission and in order to confirm that the receiver indeed received the Email, the Email is sent through a trusted authority (see abstract and paragraph 0029 i.e. central processing unit), and at least one of the following features exists: a) said authority automatically sends back to the sender, by at least one of fax and email, a confirmation of at least one of the intended

receiver's identity, the time and date the Email was sent, and the content of the Email (see Nassiri paragraph 0021-0022, 0029 and 0033). Nassiri does not teach said communications are Fax transmission. Chang teaches that the communication is a Fax message (see Lam abstract). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to have included fax messages in Nassiri Email message system to increase the different messaging formats that can be sent through the system. Therefore one would have been motivated to increase the different messaging formats that can be sent through the system (see Chang column 1 line 66 – column 2 line 4).

Claim 57 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nassiri (U.S. Patent Publication # 2002/0046250) in view of Kim et al. (U.S. Patent # 6,701,440). Nassiri teaches everything with respect to claim 1 above but with respect to claim 57 Nassiri does not teach wherein public-use computers the OS itself and/or a security software enables the administrator to specify that this is a public-use computer and at least one of the following features exist: a) the setting can be changed only with the original installation disk and/or with a password and/or with some other physical key. Kim teaches wherein public-use computers the OS itself and/or a security software enables the administrator to specify that this is a public-use computer and at least one of the following features exist: a) the setting can be changed only with the original installation disk and/or with a password and/or with some other physical key (see Kim column 6 line 5-47). It would have been obvious at the time the invention was made to a

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person having ordinary skill in the art to which said subject matter pertains to have had the email users log on to the web-based email application using a username and password to prove his identity before he can change is setting in the emails. Therefore one would have been motivated to have the email users log on before changing setting (see Kim column 2 line 25-43 and column 6 line 5-47).

### ***Prior Art Made of Record***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to a file system, such as:

United States Patent No. 6,321,267 to Donaldson, which is cited to show an active filtering proxy filters electronic junk mail (also known as spam, bulk mail, or advertising) received at a Message Transfer Agent from remote Internet hosts using the Simple Mail Transfer Protocol (SMTP). The proxy actively probes remote hosts that attempt to send mail to the protected mail server in order to identify dialup PCs, open relays, and forged email. The system provides multiple layers of defense including: connect-time filtering based on IP address, identification of dialup PCs attempting to send mail, testing for permissive (open) relays, testing for validity of the sender's address, and message header filtering. A sender's message must successfully pass through all relevant layers, or it is rejected and logged. Subsequent filters feed IP addresses back to the IP filtering mechanism, so subsequent mail from the same host can be easily blocked.

### **Conclusion**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Devin Almeida whose telephone number is 571-270-1018. The examiner can normally be reached on Monday-Thursday from 7:30 A.M. to 5:00 P.M. The examiner can also be reached on alternate Fridays from 7:30 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron, can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DA

Devin Almeida  
Patent Examiner  
2/22/2007

  
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